



Steven W. Troxler  
Commissioner

North Carolina Department of Agriculture  
and Consumer Services  
*Veterinary Division*

R. Douglas Meckes, DVM  
State Veterinarian

January 5, 2016

Casper vande Hei  
Unleashed Dog Training  
264 Howell Road #7  
Hubert, NC 28539

**Notice of Warning**

**Re: Violation of N. C General Statute §19A-28  
Boarding Kennel: Unleashed Dog Training**

Dear Mr. vande Hei:

The Animal Welfare Section ("AWS") received a complaint that Unleashed Dog Training was an unlicensed facility offering dog day care services and boarding. AWS Inspector Patricia Sholar ("Inspector Sholar") met with you on September 16, 2015 to discuss the situation. You indicated that you were currently boarding animals. You also indicated that you would cease providing day care and boarding services and update the facility website to reflect this change.

Inspector Sholar discussed the need for a boarding kennel or dog day care provider to be licensed and she reviewed the licensing requirements with you. She left a licensing packet with you in case you decided to obtain a license for your facility. A review of AWS records indicates that Unleashed Dog Training has not obtained a boarding kennel license. A review of the website for Unleashed Dog Training conducted on December 31, 2015, shows the facility to be advertising "Home style boarding."

In light of this information, AWS has reason to believe that you are willfully continuing to operate a boarding kennel without a license which is a violation of N. C. General Statute §19A-28. Therefore you are directed to cease operations of your boarding kennel immediately. If you wish to provide boarding or dog day care services, you may submit the license application to the address listed below within 5 business days of receipt of this letter.

If you are found to be operating a boarding kennel without a license, you may be subject to the penalties established under N. C. General Statute §§19A-33 and -40. General Statute §19A-33 makes operating an unlicensed boarding kennel a Class 3 misdemeanor subject to a fine of up to \$25.00 for each day of operation. Statute §19-40 authorizes the assessment of a civil penalty of up to five thousand dollars against any person who violates any provision under Article 19A or any rule issued thereunder.

If you have any questions about how to comply with this letter, please call this office at 919-707-3280.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia Norris', with a long horizontal line extending to the right.

Patricia Norris, DVM, MS  
Director of Animal Welfare Section

## Relevant Statutes and Regulations

### **§ 19A-28. License required for public auction or boarding kennel.**

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year. (1977, 2nd Sess., c. 1217, s. 9; 1987, c. 827, s. 65; 1989, c. 544, s. 18; 2011-145, s. 31.5(b).)

### **§ 19A-33. Penalty for operation of pet shop, kennel or auction without license.**

Operation of a pet shop, kennel, or public auction without a currently valid license shall constitute a Class 3 misdemeanor subject only to a penalty of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00), and each day of operation shall constitute a separate offense.(1977, 2nd Sess., c. 1217, s. 14; 1993, c. 539, s. 315; 1994, Ex. Sess., c. 24, s. 14(c).)

### **§ 19A-40. Civil Penalties.**

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. (1995, c. 516, s. 6; 1998-215, s. 3.)